

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

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United States Attorney  
District of Hawaii

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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 18-00133 LEK
	)	
Plaintiff,	)	SUPERSEDING INDICTMENT
	)	
vs.	)	[21 U.S.C. §§ 846, 841(a)(1),
	)	841(b)(1)(A), 841(b)(1)(B),
PATRICK PRESCOTT,	(01) )	841(b)(1)(C); 18 U.S.C. § 2;
aka "Happy" and "Spaccz,"	)	18 U.S.C. § 922(g)(1)]
ALEJANDRO LOPEZ,	(02) )	
JORDAN BILLIANOR-NAPEAHI,	(03) )	
aka "Scyts" and "Scits,"	)	
RAPHAEL SAKARIA,	(04) )	
aka "Ralph" and "Dawg,"	)	
ROSE POMELE,	(05) )	
SAMUEL CARTER,	(06) )	
RICKY MARTINEZ,	(07) )	
CHRISTOPHER LEE,	(08) )	
MARENDA TAMAALEMALO,	(09) )	

DONOVAN PALAUNI,	(10)	)
aka "Toons,"		)
BRANDON REMIGIO,	(11)	)
ADELINE HARRINGTON,	(12)	)
ALAPATI VAIVAI,	(13)	)
LORNA ZABLAN,	(14)	)
BARRY WILLIAMS,	(15)	)
aka "Grump,"		)
and		)
SEAN SCATES,	(16)	)
		)
Defendants.		)

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SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine  
(21 U.S.C. § 846)

From a precise date unknown, but by at least June 2017, and continuing to on or about August 28, 2018, within the District of Hawaii and elsewhere, PATRICK PRESCOTT, aka "Happy" and "Spaccz," ALEJANDRO LOPEZ, JORDAN BILLIANOR-NAPEAHI, aka "Scyts" and "Scits," RAPHAEL SAKARIA, aka "Ralph" and "Dawg," ROSE POMELE, SAMUEL CARTER, RICKY MARTINEZ, CHRISTOPHER LEE, MARENDIA TAMA-ALEMALO, DONOVAN PALAUNI, aka "Toons," BRANDON REMIGIO, ADELINE HARRINGTON, ALAPATI VAIVAI, LORNA ZABLAN, BARRY WILLIAMS,

aka “Grump,” and SEAN SCATES, the defendants, did knowingly and intentionally combine, conspire, confederate, and agree with each other and with other persons known and unknown to the Grand Jury, to distribute and possess with intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT 2

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about August 17, 2017, within the District of Hawaii, PATRICK PRESCOTT, aka “Happy” and “Spaccz,” and JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendants, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT 3

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about September 11, 2017, within the District of Hawaii, JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 4

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about September 19, 2017, within the District of Hawaii, JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 5

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about October 3, 2017, within the District of Hawaii, JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 6

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about October 6, 2017, within the District of Hawaii, PATRICK PRESCOTT, aka “Happy” and “Spaccz,” and JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendants, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT 7

Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about March 20, 2018, within the District of Hawaii, PATRICK PRESCOTT, aka “Happy” and “Spaccz,” and JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendants, did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT 8

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about March 22, 2018, within the District of Hawaii, PATRICK PRESCOTT, aka “Happy” and “Spaccz,” the defendant, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 9

Attempted Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. § 846)

On or about March 29, 2018, within the District of Hawaii, PATRICK PRESCOTT, aka “Happy” and “Spaccz,” ALEJANDRO LOPEZ, and JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendants, did knowingly and intentionally attempt to possess with intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

COUNT 10

Attempted Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. § 846)

On or about May 15, 2018, within the District of Hawaii and elsewhere, PATRICK PRESCOTT, aka “Happy” and “Spaccz,” ALEJANDRO LOPEZ, and JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendants, did knowingly and intentionally attempt to possess with intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

COUNT 11

Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B))

On or about June 1, 2018, within the District of Hawaii, RAPHAEL SAKARIA, aka “Ralph” and “Dawg,” the defendant, did knowingly and intentionally possess with intent to distribute 5 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 12

Distribution of Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C))

On or about June 1, 2018, within the District of Hawaii, JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II



controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 13

Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C))

On or about June 1, 2018, within the District of Hawaii, LORNA ZABLAN, the defendant, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 14

Felon in Possession of a Firearm  
(18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about August 28, 2018, within the District of Hawaii, JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate commerce, a firearm, namely, a Silver Revolver, .38 caliber, serial number 14117, and ammunition,

namely, 18 rounds of 9mm ammunition and one round of .380 caliber ammunition, said firearm and ammunition having been previously shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 15

Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A))

On or about August 28, 2018, within the District of Hawaii, BARRY WILLIAMS, aka “Grump,” the defendant, did knowingly and intentionally possess with intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

FIRST FORFEITURE ALLEGATION

1. The allegations contained in all paragraphs of Counts 1 through 13 and 15 of this Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 21, United States Code, Section 853.

2. The United States hereby gives notice to the defendants that, upon

conviction of the offenses charged in Counts 1 through 13 and 15 of this Superseding Indictment, the government will seek forfeiture, in accordance with Title 21, United States Code, Section 853(a), of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of the violations of Title 21, United States Code, Sections 841 and 846, alleged in Counts 1 through 13 and 15 of this Superseding Indictment, and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the violations of Title 21, United States Code, Sections 841 and 846, alleged in Counts 1 through 13 and 15 of this Superseding Indictment, including but not limited to:

- a. \$10,519.00 in United States currency seized from Federal Express on or about November 2, 2017;
- b. \$71,900.00 in United States currency seized from the United States Postal Service on or about March 28, 2018;
- c. \$25,000.00 in United States currency seized from the United States Postal Service on or about April 9, 2018;
- d. \$2,200.00 in United States currency paid to JORDAN BILLIANOR-NAPEAHI, aka "Scyts" and "Scits," the defendant, on August 17, 2017, for the purchase of methamphetamine in connection with the offense charged in

Count 2;

- e. \$1,600.00 in United States currency paid to JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, on September 11, 2017, for the purchase of methamphetamine in connection with the offense charged in

Count 3;

- f. \$1,500.00 in United States currency paid to JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, on September 19, 2017, for the purchase of methamphetamine in connection with the offense charged in

Count 4;

- g. \$1,600.00 in United States currency paid to JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, on October 3, 2017, for the purchase of methamphetamine in connection with the offense charged in

Count 5;

- h. \$2,200.00 in United States currency paid to JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, on October 6, 2017, for the purchase of methamphetamine in connection with the offense charged in

Count 6;

- i. \$2,200.00 in United States currency paid to PATRICK PRESCOTT, aka “Happy” and “Spaccz,” the defendant, on March 22, 2018, for the purchase of methamphetamine in connection with the offense charged in Count 8;
- j. Approximately \$7,000.00 in United States currency seized from the residence of PATRICK PRESCOTT, aka “Happy” and “Spaccz,” and ROSE POMELE, the defendants, on or about August 28, 2018;
- k. Fourteen karat yellow gold seven millimeter twenty-four inch diamond cut rope chain with three inch crucifix charm seized from the residence of PATRICK PRESCOTT, aka “Happy” and “Spaccz” and ROSE POMELE, the defendants, on or about August 28, 2018;
- l. Ten karat yellow gold ten millimeter thirty inch Cuban link chain seized from the residence of PATRICK PRESCOTT, aka “Happy” and “Spaccz” and ROSE POMELE, the defendants, on or about August 28, 2018;
- m. Approximately \$6,400.00 in United States currency seized from the residence of ALEJANDRO LOPEZ, the defendant, on or

about August 28, 2018; and

- n. Silver Revolver, .38 caliber, serial number 14117, 18 rounds of 9mm ammunition, and one round of .380 caliber ammunition seized on or about August 28, 2018.

3. If by any act or omission of a defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court; or
- d. has been commingled with other property which cannot be subdivided without difficulty,

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p).

### SECOND FORFEITURE ALLEGATION

1. The allegations contained in Count 14 of this Superseding Indictment are incorporated by reference as though set forth in full herein for the purpose of

noticing forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice that, upon conviction of the offense in violation of Title 18, United States Code, Section 922(g) set forth in Count 14 of this Superseding Indictment, JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, shall forfeit to the United States any firearms and ammunition involved in or used in the commission of that offense, including but not limited to a Silver Revolver, .38 caliber, serial number 14117, 18 rounds of 9mm ammunition, and one round of .380 caliber ammunition.

3. If by any act or omission of JORDAN BILLIANOR-NAPEAHI, aka “Scyts” and “Scits,” the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;


the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21,

United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

DATED: December 19, 2018, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson  
FOREPERSON, GRAND JURY

  
\_\_\_\_\_  
KENJI M. PRICE  
United States Attorney  
District of Hawaii

  
\_\_\_\_\_  
MARGARET C. NAMMAR  
Assistant U.S. Attorney

United States v. Patrick Prescott, et al.  
Superseding Indictment